

24028. Adulteration and misbranding of nitroglycerin tablets. U. S. v. Abbott Laboratories. Plea of nolo contendere. Fine, \$25. (F. & D. no. 27532. I. S. no. 35855.)

This case was based on an interstate shipment of nitroglycerin tablets that contained a smaller proportion of nitroglycerin than declared on the label.

On May 6, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Abbott Laboratories, a corporation, North Chicago, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 27, 1931, from the State of Illinois into the State of Michigan of a quantity of nitroglycerin tablets which were adulterated and misbranded. The article was labeled in part: "Hypodermic Tablets Nitroglycerin Grain 1-100 * * * Abbott Laboratories North Chicago, Ill."

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, and that each of the tablets was represented to contain one one-hundredth of a grain of nitroglycerin; whereas each of said tablets contained less than one one-hundredth of a grain, namely, not more than 0.0071 grain (one one-hundred and fortieth of a grain) of nitroglycerin.

Misbranding was alleged for the reason that the statement "Tablets Nitroglycerin Grain 1-100", borne on the bottle label, was false and misleading since the tablets contained less than one one-hundredth of a grain of nitroglycerin.

On December 4, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

24029. Adulteration and misbranding of atropine sulphate tablets and nitroglycerin tablets. U. S. v. Parke, Davis & Co. Plea of guilty. Fine, \$450. (F. & D. no. 27538. I. S. nos. 20567, 25087, 25559, 25763, 35547.)

This case was based on shipments of atropine sulphate tablets and nitroglycerin tablets that contained atropine sulphate and nitroglycerin in excess of the amount declared on the label.

On April 25, 1932, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Parke, Davis & Co., a corporation, Detroit, Mich., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 17, April 22, May 12, and June 9, 1931, from the State of Michigan into the States of Tennessee, Ohio, and Missouri, of quantities of atropine sulphate tablets and on or about April 14, 1931, from the State of Michigan into the State of Minnesota, of a quantity of nitroglycerin tablets which were adulterated and misbranded. The articles were labeled in part: "Hypdermic tablets * * * Atropine Sulphate 1/100 Grain" or "Nitro-Glycerin (Glyceryl Trinitrate) Hypodermic Tablets 1/100 grain * * * Parke, Davis & Co., Detroit, Mich."

The articles were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that the tablets were each represented to contain one one-hundredth of a grain atropine sulphate or nitroglycerin; whereas they contained more than so represented, the four shipments of atropine sulphate tablets containing not less than one eighty-eighth of a grain (0.0114 grain), one eighty-sixth of a grain (0.01167 grain), one eighty-fifth of a grain (0.01176 grain), and one eighty-ninth of a grain (0.0113 grain), respectively, of atropine sulphate per tablet, and the shipment of nitroglycerin tablets containing one seventy-ninth of a grain (0.01262 grain) of nitroglycerin per tablet.

Misbranding of the articles was alleged for the reason that the statements, "Tablets * * * Atropine Sulphate 1/100 Grain" and "Nitro-Glycerin * * * Tablets 1/100 grain", borne on the labels, were false and misleading, since the tablets contained more atropine sulphate and nitroglycerin than declared.

On October 26, 1934, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$450.

M. L. WILSON, *Acting Secretary of Agriculture.*